### TRAFFIC AND PARKING BOARD PUBLIC HEARING FEBRUARY 25, 2013

**DOCKET ITEM: 4** 

**ISSUE:** Consideration of a request to appeal the suspension of Mr. Sebry Adem's

driver permit # 774, Yellow Cab vehicle permit # 279, for four days for

refusal to carry a passenger.

**APPLICANT:** Hack Inspector Officer D.G. Robinson

**LOCATION:** The infraction occurred at the Hilton Hotel on Seminary Road

### **STAFF RECOMMENDATION:**

Staff recommends the board uphold the four day suspension of Mr. Sebry Adem's drivers permit.

### **DISCUSSION:**

On December 11, 2012, at 3:30 p.m. Mr. Sebry Adem refused to carry a passenger, Ms. Politzer, from the Hilton Hotel on Seminary Road. His reason for refusal was that the customer intended to pay for the short trip with a credit card. Ms. Laure Politzer called the Hack Office on December 11, 2012, to make the complaint that she was denied access to the cab. Ms. Politzer is an employee of the Hilton Hotel and was in need of a cab. The cab was called to the front of the hotel, and when she entered the cab she informed Mr. Adem of her destination and that she would be paying with her credit card. Mr. Adem then told Ms. Politzer that he was not going to give her a ride, because the distance was too short to be paid by credit card. She provided the Hack Office with a description of the driver and his cab number.

Officer D.G. Robinson interviewed Mr. Sebry Adem in the Hack Office on December 19, 2012 and Mr. Adem recalled his interaction with Ms. Politzer. He confirmed that he refused to give her a ride, and he then stated that it was a "business decision" to do so. Mr. Adem stated that he does not give rides to passengers if the fare will be less than \$10.00 and the passenger will be paying with a credit card. City Code 9-57 (L) was read to him, which lists the reasons that a fare can be refused. Mr. Adem stated he was aware of the City Code, but then stated it was not worth it to accept passengers who will have small fares and pay with credit cards. A two day suspension was recommended by Officer D.G. Robinson for this issue.

Yellow Cab's, Kyle Summers, was contacted and informed of the complaint against Mr. Adem. Mr. Summers stated that he has talked with Mr. Adem before about this issue. Sergeant Seskey reviewed the facts of the complaint and then recommended raising the two day suspension to a four day suspension. Mr. Adem has no prior complaints on his vehicle filed.

The City Codes referred to in the paragraph above can found on the following page.

City Code Sec. 9-12-57:

The following are minimum service requirements that must be met by all drivers holding a driver's permit issued under this division:

(L): *Refusal to carry passengers*. No driver of a taxicab shall refuse or neglect to convey any orderly person, upon request, unless previously engaged, off duty, or unable or forbidden by the provisions of this article to do so.

### City Code Sec. 9-12-58:

- (a) The chief of police or the hack inspector shall have the power to suspend any driver's permit for a period not to exceed five days for any one or more of the following causes:
  - (2) any violation of section 9-12-57.

### City Code Sec. 9-12-59:

Whenever the chief of police or hack inspector has suspended a permit pursuant to section 9-12-58, the driver may appeal to the board, by filing a written notice of appeal with the hack inspector, within five days after being notified of his suspension. The hack inspector shall thereupon schedule, within a reasonable time, a hearing before the board. Notice of such hearing shall be given the applicant at least five days before the hearing. Any suspension shall be stayed pending the hearing before and decision of the board. The board shall have authority to affirm, reverse or modify the suspension appealed from. The action of the board shall be final and there shall be no rehearing. There shall be no appeal to the traffic & parking board from the imposition of a civil penalty not accompanied by a suspension, but civil penalties not accompanied by a suspension may be contested in the manner set forth in City Code section 1-1-11(c)(3). (Ord. No. 4402, 6/14/05, Sec. 1; Ord. No. 4683, 10/16/10, Sec. 1)



## HACK INSPECTOR INFRACTION NOTICE



					- 11	l .
Date	Time		Location		Case#	
12-11-2012	1530 hr's		5000 Sem		13-001	
Cab Company Yellow Cab				Vehicle Permit# 279		
Driver				Driver Permit#		
Adem, Sebry				774		
Vehide Owner				Hack Inspector		
Same				Officer D.G. Rob	inson	
Action Taken:	Infraction Warning Issued To Driver					
Driver Docketed For The Traffic & Parking Board						
	9-12-56 (B) Manifest violation					
	9-12-60 (A) (4)	Failure to keep a taxicab in good order or safe repair				
	9-12-41 Operating a taxicab for hire without a Drivers Permit					
	9-12-71 Operating a taxicab for hire without a Vehicle Permit 9-12-5 (A) Providing false statement on a Driver / Vehicle Permit application					
	9-12-131 (A) Expired meter seal 9-12-6 (A) Operating a taxicab without insurance					
	9-12-81 (3) No or incorrect rate charts					
	9-12-56 (A)	Failure to report an accident within 24 hours to the Hack Office				
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$\overline{\checkmark}$	9-12-57 (L)	Refus	al to carry p	oassenger(s)		
	9-12-60 (A) (1)	Violati	on of any k	aw involving moral	turpitude	
	9-12-60 (A) (5)	Repe	ated traffic	violations of local,	state or federal law	
OTHER INFRACTION						
I have been advised by Hack Inspector, Officer D.G. Robinson , that I have the right to appeal						
the suspension of my Driver Permit to the Traffic and Parking Board within 5 days of the date of this						
Notice. I do not wish to appeal and would prefer to serve my suspension immediately.						
SIGNED:				DATE:		
I wish to appeal the suspension imposed by the Hack Inspector to the Traffic and Parking Board.						
SICNED:				DATE:		

1

Driver

Driver Permit No

13-001

Adem, Sebry

774

# HACK INSPECTOR INFRACTION NOTICE STATEMENT OF FACTS On 12-11-2012 at approximately 1530 hr's Yellow Cab driver Sebrey Adem refused to carry a passenger from the Hilton Hotel on Seminary Road . His reason for refusing the fare was that it was for a short ride and that the customer was going to pay with a credit card. Ms. Laure Politzer called the office on 12-11-2012 to make the above complaint. She stated that she is an employee of the hotel, and needed a short cab ride. She advised the bellman of her request and a cab was called to the front of the hotel. When she got into the cab she advised the driver of her destination and that she would be paying with credit card. She was advised by the driver, later identified as Sebry Adem, that he would not give her a ride because the distance was too short, if she was going to pay by credit card. She provided me with a description of the driver and his cab number. I interviewed Sebry Adem in the Hack Office on 12-19-2012 and he remembered the contact with Ms. Politzer at the hotel. He confirmed that he refused to give her a ride, stating that it was a business decision". He does not take credit card customers if the fare will be less than \$10.00. I" read City Code 9-57 (L) to him, which lists the reasons that a fare can be refused. He was aware, but said that it is not worth it to accept short fares that pay with credit cards. I contacted Kyle Summers at Yellow Cab and advised him of the complaint on Mr.Adem. He advised that he has talked to him before about this issue. I checked Mr. Adem's driver and vehicle file and he has no prior complaints. I recommend a 2 day suspension in this case.

# TRAFFIC AND PARKING BOARD PUBLIC HEARING FEBRUARY 25, 2013

DOCKET ITEM: 5

**ISSUE:** Consideration of a request to require taxicabs to accept credit card

payment.

**APPLICANT:** T&ES

**LOCATION:** Citywide

### STAFF RECOMMENDATION:

Recommend to City Council that a new ordinance be created requiring taxicabs to accept credit card payment for service.

#### **DISCUSSION:**

At the January 22, 2013 City Council Legislative meeting, Council requested staff to docket for public hearing before the Traffic and Parking Board a requirement that taxicabs accept credit card payment.

Staff checked with the City's credit card processing company, Evalon, to determine the fees drivers would likely be accessed for credit card purchases. There is no set formula, the fee is driven by the transaction amount and the type of card used. Evalon process for a number of taxi services and used one that has an annual volume of \$902,000.00 in VISA/MC/Discover. The cost per transaction (considering only Interchange and Assessments) is typically between 2.5 percent to 7 percent depending on the dollar value of the transaction. The transaction fees are higher for business and international credit cards. The City's cab companies charge drivers a flat rate of 4 percent to 6 percent of the transaction, depending on the company, regardless of the transaction value. The cab companies do not make money on credit card transactions. On the smaller transactions they lose money and on the larger ones they make money averaging to a net of zero.

The only other jurisdictions that require taxi's to accept credit card payments are the District of Columbia, Dulles and BWI airports.

Staff met with representatives of the taxi industry and based on their input is recommending the following:

- 1. Credit card payment be accepted for all trips regardless of the size;
- 2. Cabs accept <u>all</u> major credit cards (VISA/MC/Discover);
- 3. No surcharge for credit card use;
- 4. Allow preauthorization of credit cards;
- 5. All cabs within a company use the same merchant account.

The first three of the above items: 1) acceptance of credit card payment for all trips; 2) acceptance of all major credit cards; and, 3) no surcharge, are recommended to improve customer service. The transportation industry is evolving and if the Alexandria taxi industry is to remain viable, it must provide better customer service than competing services, such as Uber.

One way to do this is through consistency and straight forward pricing. If all Alexandria cabs accept all major credit cards for all trips with no unexpected charges, consumers will have a high level of confidence when choosing an Alexandria cab for their transportation needs. The experience will make them come back to Alexandria cabs the next time they need service.

Staff is recommending that preauthorization of credit cards be allowed if credit card acceptance is mandatory. Preauthorization is important because preauthorization guarantees that the credit card being used for payment is valid. In the past drivers have complained about taking a passenger to a destination only to find out that the credit card being used for payment was not good.

Staff is recommending that all cabs within a company use the same merchant account for payment. This requirement is being proposed to address fare disputes. If a driver uses a personal credit card swipe and the customer disputes the charge with the cab company, the company has no way of knowing what the customer was charged. Maintaining a single merchant account keeps all the transaction data in a central location.

# TRAFFIC AND PARKING BOARD PUBLIC HEARING FEBRUARY 25, 2013

**DOCKET ITEM: 6** 

**ISSUE:** Request to replace one parking space on the south side of the unit block of King Street with eight bicycle parking spaces.

**APPLICANT:** City Of Alexandria

**LOCATION:** Unit block of King Street

### STAFF RECOMMENDATION:

That the Board approves replacing one parking space on the south side of the unit block of King Street with the installation of a bicycle parking corral.

#### **DISCUSSION:**

The Union Street Corridor Study was conducted due to a stipulation in The Waterfront Plan that requires completion of a transportation study before any changes are made and new development is approved. This study not only encourages more bicycle parking along Union Street but specifically recommends installing a bicycle parking corral on King Street, adjacent to Union Street, where all bike parking is clearly visible to bicyclists.

T&ES staff has coordinated with the Old Town Civic Association and key businesses located at the intersection of King Street and Union Street. None of the businesses that were contacted posed an objection to the removal of the parking space, and many noted that they believed the additional bicycle parking would bring more business to their establishments. The 2008 Bicycle and Pedestrian Mobility Plan identified and mapped areas for potential bicycle activity, shown in Figure 1, with streets in red as those with the highest levels of potential bicycle activity. Old Town, and particularly the Union Street corridor, has high potential as well as a street network that lends itself to safe bicycle travel.

Field evaluations were held to assess technical considerations for the location identified. Specific siting considerations include clearance from fire hydrants, minimum corral width, pedestrian and bicycle safety, and utility clearance.

The proposed bicycle parking would be located on the south curb of King Street, east of the intersection with Union Street. The corral will require removal of one on-street parking space in front of Mai Thai restaurant as shown in Figure 3. The space will accommodate four bike racks, providing parking for eight bicycles. The Bicycle Circle style rack that has been installed around Old Town and in Del Ray will be used [Figure 2]. The space is not metered and currently permits 2 hour parking 8AM-7PM, Monday through Saturday. The bicycle parking corral would be 8 feet in depth, including access area to the bicycles, and 16 feet wide with parking stripes outlining the corral. Bollards will be placed around the station similar to the corral in Figure 4.

Figure 1: Alexandria Potential Bicycle Activity

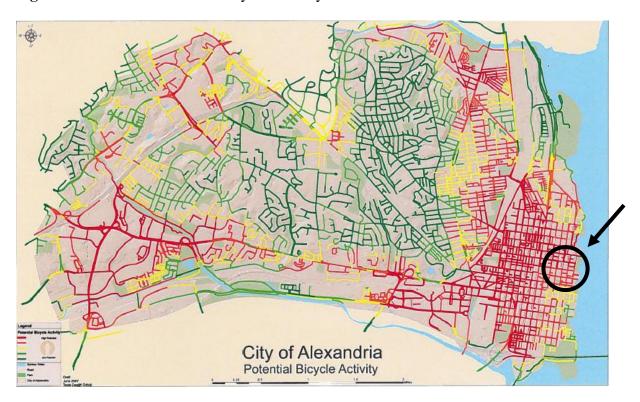


Figure 2: Bike Circle style rack







